Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Use of the 5.850-5.925 GHz Band	)	ET Docket No. 19-138
	)	

OPPOSITION OF NCTA – THE INTERNET & TELEVISION ASSOCIATION TO PETITION FOR STAY OF THE AMATEUR RADIO EMERGENCY DATA NETWORK (AREDN)

Danielle J. Piñeres
NCTA – The Internet & Television Association
25 Massachusetts Avenue, NW – Suite 100
Washington, DC 20001-1431
(202) 222-2445

May 10, 2021

TABLE OF CONTENTS

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Use of the 5.850-5.925 GHz Band	)	ET Docket No. 19-138
	)	

OPPOSITION OF NCTA – THE INTERNET & TELEVISION ASSOCIATION TO PETITION FOR STAY OF THE AMATEUR RADIO EMERGENCY DATA NETWORK (AREDN)

I. INTRODUCTION AND SUMMARY

NCTA – The Internet & Television Association (NCTA) opposes the petition by the Amateur Radio Emergency Data Network (AREDN) to stay the effectiveness of the rules adopted in the Federal Communications Commission's (FCC or Commission) *5.9 GHz Order*.[1] AREDN's requested stay covers "rules in the Order that authorize unlicensed operation in the 5.9 GHz Band, including STA or waiver for outdoor operations, and of rules that require C-V2X technology, including waiver for C-V2X operations prior to the effectiveness of rules mandating C-V2X," for potentially "three to five years or longer."[2]

The *5.9 GHz Order* is a key component of the Commission's efforts to deliver immediate and long-term improvements to in-home broadband delivered over Wi-Fi. As the Commission has explained, "[u]nlicensed devices using such technologies as Wi-Fi have become indispensable for providing low-cost wireless connectivity in countless products used by

---

1 *Use of the 5.850-5.925 GHz Band*, First Report and Order, Further Notice of Proposed Rulemaking, and Order of Proposed Modification, 35 FCC Rcd. 13,440 (2020) (*5.9 GHz Order & FNRPM*); *see* Petition for Stay of AREDN, ET Docket No. 19-138 (filed May 3, 2021) (AREDN Stay Petition).

2 AREDN Stay Petition at iii, 14.

American consumers."[3] The COVID-19 public health crisis has only intensified reliance on Wi-Fi networks and further underscores the importance of making new unlicensed spectrum available for this purpose. To this end, the spectrum the Commission recently made available in the lower 5.9 GHz band will bring consumers next generation Wi-Fi technology and relieve already crowded networks.[4]

The requested stay would seriously disrupt these efforts. Unsurprisingly, AREDN claims that its stay request will not cause any harm. But this is simply not the case. Despite requesting a three- to five-year delay, AREDN devotes only two perfunctory sentences to the consequences that would be wrought by this stay[5]— ignoring the significant negative impacts on broadband providers and American consumers.

AREDN's arguments in favor of a stay (both the merits of its arguments in its accompanying petition for reconsideration[6] and its theories of irreparable harm[7]) fall far short of what is required for this "extraordinary equitable relief."[8] The Commission should therefore deny AREDN's request.

---

3 *5.9 GHz Order & FNRPM* ¶ 2.

4 *See, e.g.*, Comments of NCTA – The Internet & Television Association, ET Docket No. 19-138, at 1-11 (filed Mar. 9, 2020) (NCTA Comments).

5 AREDN Stay Petition at 14.

6 *See id.* at 3-5; Petition for Reconsideration of AREDN, ET Docket No. 19-138 (filed May 3, 2021) (AREDN Petition for Reconsideration).

7 *See* AREDN Stay Petition at 5-12.

8 *LightSquared Technical Working Group Report*, Order Denying Motion for Stay, 36 FCC Rcd. 1262, ¶ 9 (2021) (*2021 LightSquared Stay Denial*); *see also Unlicensed Use of the 6 GHz Band*, Order Denying Petitions for Stay, 35 FCC Rcd. 8739, ¶ 8 (OET 2020) (*6 GHz Stay Denial*).

II. AREDN FAILS TO SATISFY THE REQUIREMENTS FOR A STAY

To justify a stay of Commission rules, a party must (1) make a "strong showing" that it is likely to prevail on the merits; (2) show that it will be irreparably injured absent a stay; (3) show that other interested parties will not be harmed if the stay is granted; and (4) show that the public interest would favor grant of the stay.[9] "A stay is an 'intrusion into the ordinary processes of administration and judicial review, . . . and accordingly is not a matter of right, even if irreparable injury might otherwise result' to the movant. The party requesting a stay bears the burden of showing that the circumstances justify an exercise of that discretion."[10] AREDN's petition fails to meet any of these criteria, and the Commission should reject it.

A. AREDN Is Unlikely to Prevail on the Merits of Its Petition for Reconsideration

NCTA will address AREDN's merits arguments at greater length when filing an opposition to AREDN's petition for reconsideration; however, we discuss herein some of the many reasons why AREDN's arguments are unpersuasive. The Commission's "rules and precedent are clear that [the Commission] need not consider petitions for reconsideration . . . that merely repeat arguments . . . previously . . . rejected in the underlying order" or that "[f]ail to identify any material error, omission, or reason warranting reconsideration."[11] Moreover, a petition for reconsideration may be dismissed or denied if it "[r]elies on facts or arguments which have not previously been presented to the Commission," except under certain

---

9 *6 GHz Stay Denial* ¶ 8; *see also*, *e.g.*, *2021 LightSquared Stay Denial* ¶ 8.

10 *2021 LightSquared Stay Denial* ¶ 8 (quoting *Nken v. Holder*, 556 U.S. 418, 427 (2009)).

11 *Updating the Intercarrier Compensation Regime to Eliminate Access Arbitrage*, Order on Reconsideration, 35 FCC Rcd. 6223, ¶¶ 15, 18 (2020) (internal quotation marks omitted); 47 C.F.R. § 1.429(l)(1), (3).

circumstances not present here.[12] AREDN's arguments founder on both of these grounds, and they are unpersuasive in any event. AREDN is therefore unlikely to succeed on the merits and does not meet the first requirement for a stay.

AREDN's petition and stay request largely repeat arguments that it and others previously made on the record and that the Commission subsequently rejected in the *5.9 GHz Order*. For example, AREDN asserts that the Commission's decision in the *5.9 GHz Order* is inconsistent with transportation statutes and thus not authorized under the Communications Act,[13] an argument it raised unsuccessfully in its opening comments.[14] Similarly, AREDN argues that the Commission's *5.9 GHz Order* infringes upon the Secretary of Transportation's ability to administer the Intelligent Transportation System (ITS) program and adopt a uniform ITS standard,[15] and that it requires licensees to violate the Department of Transportation's (DOT) rules and is therefore unlawful.[16] It also raised these arguments in its opening comments[17] or in an ex parte letter.[18] The Commission considered and rejected these arguments.[19]

As the Commission described in the *5.9 GHz Order*, "the Communications Act gives the Commission broad authority to ensure the efficient use of spectrum in the public interest . . . .

---

12 47 C.F.R. § 1.429(b)(1)-(3).

13 AREDN Stay Petition at 4; AREDN Petition for Reconsideration at 5-6, 16-20.

14 *See* Comments of AREDN, ET Docket No. 19-138, at 25 & n.73 (filed Feb. 7, 2020) (AREDN Comments).

15 This argument in particular is also premature because DOT abandoned its proposal to establish a national vehicle-to-vehicle communications mandate after industry expressed significant concerns.

16 AREDN Stay Petition at 4; AREDN Petition for Reconsideration at 8-9, 13, 14-15.

17 AREDN Comments at 29-30.

18 Letter from Julian Gehman, Counsel to AREDN, Gehman Law PLLC, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 19-138, at 6 (filed Sept. 23, 2020).

19 *5.9 GHz Order & FNPRM* ¶ 123.

[and] the Commission's [5.9 GHz] decision . . . is not in conflict with any role assigned to it by Congress, nor does . . . [it] infringe on DOT's ability to continue to administer the ITS program."[20] In adopting the 5.9 GHz decision, the Commission acted pursuant to its "general authority to act in the public interest, convenience and necessity, which, as the D.C. Circuit has explained, is the sort of spectrum management issue for which the Commission's authority is at its zenith."[21] Because AREDN merely repeats arguments that it previously raised and which were rejected by the Commission, it is unlikely to succeed on the merits of its petition for reconsideration.

Even if the Commission were to re-engage in considering the merits of the arguments AREDN and other parties previously raised, AREDN is unlikely to succeed on reconsideration. AREDN makes the same basic argument—that the FCC's *5.9 GHz Order* is inconsistent with the laws governing DOT and its administration of the ITS program—in various ways, citing different statutory provisions and aspects of DOT's responsibilities, but those arguments all ultimately fail for the same basic reason. The FCC has clear statutory authority to make spectrum allocations, including a determination of how much scarce mid-band spectrum to allocate for ITS.[22] The statutes directing DOT to conduct an ITS program do not in any way trump the Communications Act's broad delegations of authority to the FCC over wireless communications; none of the statutes AREDN cites discusses the 5.9 GHz band or otherwise

---

[20] *Id.* (footnote omitted).

[21] *Id.* (citing 47 U.S.C. § 303; *Teledesic LLC v. FCC*, 275 F.3d 75, 79 (D.C. Cir. 2001)).

[22] AREDN conflates questions regarding the FCC's authority to determine (1) how much spectrum (in 5.9 GHz or elsewhere) should be permitted for commercial operation of ITS versus (2) which communications standard the FCC should permit in any spectrum it makes available. We focus on the former question, as the latter does not directly bear upon the Commission's decision in the *5.9 GHz Order* to permit unlicensed operations in U-NII-4.

requires any particular spectrum allocation. There is no conflict between Title 47 and Title 23, and the Communications Act certainly is not superseded by transportation statutes. While Congress has accorded the Secretary of Transportation authority related to transportation policy aspects of a national ITS program, commercial spectrum allocation remains squarely the responsibility of the Commission.[23]

Although not mentioned in its stay petition, AREDN's petition for reconsideration also repeats the argument it previously made that the 5.9 GHz band is not needed for Wi-Fi.[24] The FCC clearly rejected that argument, concluding that "[d]espite the Commission's commitment to increasing the availability of mid-band spectrum that can be used for unlicensed operations," including its 6 GHz decision, "there continues to be steadily increasing demand for additional spectrum that can accommodate such operations."[25] Because AREDN again "[r]el[ies] on arguments that have been fully considered and rejected by the Commission,"[26] this aspect of its petition for reconsideration also is unlikely to succeed.

Even on the merits, AREDN's underlying argument—that the FCC could not or should not have concluded that additional spectrum for Wi-Fi and other unlicensed operations in 5.9 GHz serves the public interest—is flat wrong. That issue was central to this proceeding, and the Commission's determination lies at the core of its spectrum management authority. NCTA and many other commenters highlighted the public interest benefits of opening the lower 5.9 GHz band for unlicensed use, noting the economic and societal benefits that would accrue as

---

23 47 U.S.C. § 303(c), (f), (r), § 302a(a).

24 AREDN Petition for Reconsideration at 21-23; *see* AREDN Comments at 3-14.

25 *5.9 GHz Order & FNPRM* ¶ 5.

26 47 C.F.R. § 1.429(l)(3).

the result of such a decision.[27] The Communications Act empowers the Commission "to foster innovative methods of exploiting the radio spectrum," and when it does so, "the Commission functions as a policymaker and . . . [is] accorded the greatest deference by a reviewing court."[28] Accordingly, AREDN's argument that the 5.9 GHz band is not needed for Wi-Fi is unlikely to prevail on reconsideration.

AREDN also makes several specious new arguments in its petition for reconsideration that are likely to be rejected because (1) AREDN did not previously present them to the Commission and (2) AREDN does not demonstrate any of the circumstances the Commission's rules require for consideration of such late-raised arguments.[29] For example, AREDN argues that the Commission's *5.9 GHz Order* is unlawful because it "silently departs from FCC precedent and dictates to DOT what the ITS standards and protocols will be."[30] Because AREDN did not previously raise this and other arguments, it must demonstrate that events have occurred or circumstances have changed since adoption of the *5.9 GHz Order*, the arguments were unknown to AREDN until after the Commission adopted the *5.9 GHz Order*, or consideration of these late-raised arguments is in the public interest,[31] all of which it fails to do. The Commission therefore need not consider AREDN's late-raised arguments.

---

27 Reply Comments of NCTA – The Internet & Television Association, ET Docket No. 19-138, at 4-9 (filed Apr. 27, 2020) (NCTA Reply Comments) (describing the record support for the Commission's findings that the country needs additional mid-band unlicensed spectrum and that the 5.9 GHz band is uniquely positioned to address that need).

28 *Telocator Network of Am. v. FCC*, 691 F.2d 525, 538 (D.C. Cir. 1982).

29 *See* 47 C.F.R. § 1.429(b)(1)-(3). To the extent these arguments are simply modified versions of the same arguments discussed above regarding the Commission's authority, the Commission can alternatively reject them on the same grounds.

30 AREDN Stay Petition at 4; AREDN Petition for Reconsideration at 11-12.

31 47 C.F.R. § 1.429(b)(1)-(3).

Should the Commission nevertheless consider the merits of AREDN's argument that the FCC silently departed from precedent, the Commission should reject it out of hand. First, there is no precedent that establishes that the Commission is locked into the spectrum allocations it adopted decades ago, or that it may not change its rules without DOT's permission. Moreover, even assuming that any relevant Commission precedent existed, the Commission provided notice and opportunity to comment and a reasoned decision supporting its rule change; it did not "silently depart[] from . . . precedent."[32]

For the foregoing reasons, AREDN is unlikely to prevail on the merits of its pending petition for reconsideration and has failed to demonstrate that it is entitled to a stay while that petition is resolved.

B. AREDN Will Not Suffer Irreparable Harm Absent a Stay

AREDN argues in its stay petition that it will suffer harmful interference from unlicensed operations if the Commission's rules become effective. But, importantly, it does not seek reconsideration of the Commission's determination that "U-NII devices operating in the U-NII-4 band will not cause harmful interference to amateur operations."[33] It would therefore be arbitrary for the Commission to credit the stay petition's assertions regarding harmful interference under the guise of a demonstration of irreparable harm given that AREDN:
(1) failed to make any developed argument regarding harmful interference previously; and
(2) does not seek reconsideration of the Commission's determination that no such harm would occur.

---

[32] AREDN Stay Petition at 4; AREDN Petition for Reconsideration at 11-12.

[33] *5.9 GHz Order & FNPRM* ¶ 93.

The Commission should reject AREDN's claims of irreparable harm even if it were to take them at face value, however. To establish that irreparable injury will occur, AREDN must show that "[t]he claimed injury [is] (1) 'actual and not theoretical'; (2) more than mere 'economic loss'; and (3) 'imminent' and 'likely to occur.'"[34] AREDN's arguments fail to meet this threshold requirement, and thus its claim that it will be irreparably harmed absent a stay is unpersuasive.

First, AREDN fails to substantiate its assertions regarding harmful interference. The Commission already noted that AREDN failed to "include any specific technical analysis for [its] particular position,"[35] a fact that that remains true in its stay request.

Second, the unsubstantiated potential for harmful interference AREDN alleges is not imminent because the Commission has yet to establish the technical rules for outdoor unlicensed operations. AREDN argues that the "Commission cannot logically say that AREDN would not experience the same interference" as 6 GHz fixed microwave links—which it claims are comparable to its operations—absent the use of automated frequency coordination (AFC) as the Commission adopted for outdoor use of the 6 GHz band.[36] As a threshold matter, AREDN compares the fixed microwave links in 6 GHz to its amateur operations without any meaningful explanation how the two are similarly situated, and without any technical studies or analysis to support its assertions. Even putting that aside, however, AREDN focuses almost entirely on the potential for interference from ***outdoor*** unlicensed operations, claiming that "[t]he U-NII devices

---

[34] *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*, Order Denying Motion for Stay, 34 FCC Rcd. 10,336, ¶ 15 (MB 2019) (quoting *Nken*, 556 U.S. at 434-35); *see also Wis. Gas Co. v. FERC*, 758 F.2d 669, 674 (D.C. Cir. 1985).

[35] *5.9 GHz Order & FNPRM* ¶ 92.

[36] AREDN Stay Petition at 7.

in the 5.9 GHz band (U-NII-4), ***after the transition period ends and radar-protective rules are adopted,*** will be comparable to those in the U-NII-5 and U-NII-7 bands that must use AFC" and therefore AFC would also be required to protect AREDN's 5.9 GHz operations from harmful interference.[37] But this is a matter that should be raised in response to the Commission's *5.9 GHz Further Notice of Proposed Rulemaking (FNPRM)*, which expressly seeks comment on the "the transmitter power and emission limits, and other issues, related to full-power outdoor unlicensed operations across the entire 5.850-5.895 GHz portion of the 5.9 GHz band."[38] AREDN will have the opportunity to present these arguments and supporting evidence regarding outdoor operations in response to the *FNPRM*. Because the *5.9 GHz Order* set rules for indoor unlicensed operations,[39] AREDN's asserted irreparable harm from outdoor unlicensed operations is anything but imminent.

Third, AREDN argues that it will experience irreparable harm because in the time that it takes to resolve its petition for reconsideration, unlicensed devices could be widely deployed in the band and the "FCC would have minimal ability to stop unlicensed devices from transmitting . . . if the [*5.9 GHz* Order] were overturned on reconsideration or appeal."[40] This fails to demonstrate that the harm is actual, not theoretical. The Commission recently considered and rejected this same argument when parties sought to stay the effective date of the rules

---

37 *Id.* (emphasis added).

38 *5.9 GHz Order & FNPRM* ¶¶ 145, 176-85.

39 In a single sentence, AREDN argues that "lower power indoor devices cause interference via building loading docks, enclosed patios, picture window conference rooms and corner offices." AREDN Stay Petition at 5. AREDN offers no evidence in support of these assertions, and the Commission already concluded that the indoor operations made possible by the *5.9 GHz Order* will not create a significant risk of harmful interference. *See 5.9 GHz Order & FNPRM* ¶ 66.

40 AREDN Stay Petition at 5.

authorizing unlicensed access to the 6 GHz band. In that context, the FCC dismissed concerns that it would be difficult to identify potentially interfering unlicensed devices, noting that "there is no spectrum management system in other bands used by unlicensed devices where Wi-Fi devices have been deployed in abundance for over 20 years, i.e., the 2.4 GHz and 5 GHz bands, and the Commission has been able to effectively identify and eliminate harmful interference in those rare instances when it has occurred."[41] The Commission also noted in the context of irreparable harm that, in the unlikely case that harmful interference occurred, "tracking down the source of the interference would be the responsibility of the Commission's Enforcement Bureau which . . . has the ability to investigate reports of such interference and take appropriate enforcement action as necessary."[42] The Commission should reject AREDN's argument here just as it did in the 6 GHz proceeding.

Fourth, AREDN claims irreparable harm from the prospect that it has difficulty siting new radios through commercial contracts when private property owners determine that proposed amateur radio operations would undermine nearby unlicensed operations.[43] In particular, AREDN argues that it "is at a disadvantage in dealing with site owners . . . [as compared to deployers of unlicensed equipment because] the amateur radio operator usually cannot pay market rent because there is no revenue."[44] Even if true, this is not a harm that can be said to result from the Commission's *5.9 GHz Order*. Instead, it results from the potential, future siting decisions of third parties, which are not imminent and cannot constitute irreparable harm to support a stay of the 5.9 GHz rules.

---

41 *6 GHz Stay Denial* ¶ 15.

42 *See id.* ¶ 28.

43 *See* AREDN Stay Petition at 7-9.

44 *Id.* at 9.

C. A Stay Will Result in Harm to Other Interested Parties and Is Not in the Public Interest

AREDN sets forth its entire argument concerning harm to other parties and the public interest in two sentences, arguing that "[t]he proponents of unlicensed operation cannot be heard to claim harm from stay of a rule that is inconsistent with law and will be overturned at some point" and that "the public interest cannot be said to be furthered by the Order where it violates the Communications Act."[45] This perfunctory treatment does not meet AREDN's burden to demonstrate that it is entitled to the "extraordinary equitable relief" of stay.[46]

To the contrary, a stay of the Commission's 5.9 GHz rules would harm NCTA's members, other unlicensed network operators, and American consumers demanding additional unlicensed spectrum resources. The *5.9 GHz Order* is the result of a lengthy, detailed rulemaking through which the Commission sought both to make available urgently needed unlicensed spectrum in 5.9 GHz quickly and cost-effectively for consumers using existing equipment and to create the first widely available, contiguous 160-megahertz channel that next-generation Wi-Fi requires.[47] A potentially multi-year stay, as AREDN suggests could be necessary,[48] would disrupt deployment plans and ultimately delay vital broadband access for American consumers.

For example, the 5.9 GHz band is central to Internet service providers' (ISPs) ability to respond to exploding consumer demand for Wi-Fi. These ISPs have been planning their 5.9 GHz deployment strategies based on the Commission's decision, awaiting the establishment

---

45 *Id.* at 14.

46 *See 2021 LightSquared Stay Denial* ¶ 9; *see also 6 GHz Stay Denial* ¶ 8.

47 *See, e.g.*, NCTA Comments at 1-2.

48 AREDN Stay Petition at 5.

of the effective date for the rules. Deployment plans, equipment purchase schedules and, most importantly, the ability of these companies to improve Wi-Fi service for consumers would all be greatly harmed by a protracted stay. Moreover, an extended stay could halt chipmaker and OEM investment in and development of the software necessary for ISPs, such as NCTA's members, to deploy 5.9 GHz in existing equipment, as well as inhibit the development of new 5.9 GHz-capable equipment. Such an outcome would cause a real-world delay that would long outlast even AREDN's extraordinary three- to five-year request. AREDN even suggests that the Commission should stay action on requests for special temporary authority (STA) and waivers to use the lower 5.9 GHz band for outdoor unlicensed operations.[49] This would negatively impact over 100 wireless Internet service providers that rely on STAs to bring better broadband access to more Americans during the pandemic,[50] potentially cutting off customers that have benefitted from access to this largely unused band.

The public interest also favors denial of AREDN's stay petition. As the Commission noted in adopting the *5.9 GHz Order*, "[u]nlicensed devices using such technologies as Wi-Fi have become indispensable for providing low-cost wireless connectivity in countless products used by American consumers," and in opening the lower 5.9 GHz band for unlicensed use, the Commission intended to "promote unlicensed use of the . . . band ***as soon as possible*** so that the American people can immediately begin receiving the benefits of unlicensed operations."[51] The current public health crisis has further amplified the need for additional unlicensed spectrum as "millions of Americans rely on Wi-Fi to remain connected and productive while practicing social

---

[49] *Id.* at 14.

[50] Press Release, FCC, *5.9 GHz Band Boosts Consumer Internet Access During COVID-19 Pandemic* (May 4, 2020), https://docs.fcc.gov/public/attachments/DOC-364138A1.pdf.

[51] *5.9 GHz Order & FNRPM* ¶ 2 (emphasis added).

distancing."[52] As New America's Open Technology Institute has explained that, "in the context of the current pandemic . . . it is critical that consumers and businesses have the indoor coverage they need to function well and affordably"[53] and that "because 5.9 GHz is immediately adjacent to the U-NII-3 band, it can immediately enhance broadband connectivity at a time when Americans are struggling to work and learn from home."[54] NCTA agrees. Preventing the Commission's 5.9 GHz rules from going into effect as scheduled would significantly and unnecessarily impede access to critical unlicensed spectrum resources for Wi-Fi and next-generation connectivity, which is contrary to the public interest.

III. CONCLUSION

For all of the reasons identified above, the Commission should deny AREDN's petition for stay. Delaying access to the lower 5.9 GHz band for unlicensed use could compound existing congestion on Wi-Fi networks and prevent rapid access to next-generation Wi-Fi in existing equipment at a time when delivering high-speed broadband to consumers throughout the country could not be more important.

Respectfully submitted,

/s/ Danielle J. Piñeres

Danielle J. Piñeres
NCTA – The Internet & Television Association
25 Massachusetts Avenue, N.W. – Suite 100
Washington, D.C. 20001-1431

May 10, 2021

---

52 NCTA Reply Comments at 1.

53 Letter from Michael Calabrese, New America's Open Technology Institute, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 18-295, GN Docket No. 17-183, at 3 (filed Apr. 15, 2020).

54 Letter from Michael Calabrese, New America's Open Technology Institute, to Marlene H. Dortch, Secretary, FCC, ET Docket No. 19-138 et al., at 1 (filed Aug. 31, 2020).

CERTIFICATE OF SERVICE

I, Danielle Pineres, hereby certify that on this 10th day of May 2021, I caused a copy of the foregoing Opposition of NCTA – The Internet & Television Association to the Petition for Stay of the Amateur Radio Data Network (AREDN) to be served via electronic mail on the following:

Julian Gehman
Gehman Law PLLC
80 M Street, SE, Ste. 100
Washington, DC 20003
julian@gehmanlaw.com
Counsel for AREDN

/s/ Danielle J. Piñeres
Danielle J. Piñeres